



PUBLIC NOTICE

Federal Communications Commission
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JUN 18 2007

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DA 07-2597

Released: June 14, 2007

WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUESTS FOR WAIVER TO PERMIT THE APPROVAL OF CLASS B AUTOMATIC IDENTIFICATION SYSTEM (AIS) DEVICES

WT Docket No. 04-344

Comment Date: July 5, 2007

Reply Comment Date: July 16, 2007

Pursuant to Section 1.925(c) of the Commission's Rules,¹ the Wireless Telecommunications Bureau (Bureau) hereby seeks comment on the requests of ACR Electronics, Inc.² and Software Radio Technology plc (SRT)³ to authorize Class B AIS transponders (collectively, the Requests). In a *Further Notice of Proposed Rule Making* in WT Docket No. 04-344, the Commission proposed rules to permit the authorization and use of Class B AIS devices.⁴ In this *Public Notice*, we request comment on what procedures, if any, should be followed regarding authorization and use of Class B AIS devices pending the resolution of the rulemaking proceeding.

Low-cost Class B AIS devices are being developed for vessels not covered by mandatory national and international carriage requirements. Class A AIS devices are required for ships to meet international Safety of Life at Sea (SOLAS) Convention ship carriage requirements and certain domestic AIS ship carriage requirements under the Maritime Transportation Security Act of 2002.⁵ Class B AIS devices are intended to provide a less expensive alternative to Class A AIS equipment, while still providing vessel information critical to maritime safety and security. In standardizing AIS, the ITU Radiocommunications Sector Recommendation 1371-1, "Technical characteristics for a universal shipborne Automatic Identification System (AIS) using SOTDMA (Self-Organizing Time Division Multiple Access) in the VHF maritime mobile band," provides for a Class B AIS device. In 2006, the International Electrotechnical Commission (IEC) adopted and published an international standard, IEC 62287-1, that

¹ 47 C.F.R. § 1.925(c).

² Letter dated Feb. 5, 2007 from Bryan French, Technical Compliance Leader, ACR Electronics, Inc., to Federal Communications Commission.

³ Letter dated Apr. 13, 2007 from Matthew Clarke, Marine Product Manager, Software Radio Technology plc, to Federal Communications Commission.

⁴ See Amendment of the Commission's Rules Regarding Maritime Automatic Identification Systems, *Report and Order and Further Notice of Proposed Rule Making and Fourth Memorandum Opinion and Order*, WT Docket 04-344, 21 FCC Rcd 8892, 8936-37 ¶¶ 62-64 (2006) (*AIS FNPRM*).

⁵ See 47 C.F.R. § 80.1101(c)(12); see also P.L. 107-295, § 102(e), 116 Stat. 2082 (2002) (codified at 46 U.S.C. § 70114).

sets forth requirements and test procedures for Class B AIS equipment.⁶ In WT Docket No. 04-344, the Commission proposed to amend the Part 80 rules to incorporate by reference the IEC 62287-1 standard and provide for the certification of Class B AIS equipment that complies with that standard, and sought comment on what measures, if any, should be adopted to ensure the accuracy of AIS data transmitted via Class B devices.⁷

During the pendency of the *Fourth Further Notice of Proposed Rule Making* in PR Docket No. 92-257,⁸ which sought comment on rules to provide for the certification of Class A AIS equipment, the FCC Laboratory coordinated review of applications for certification of AIS equipment with the United States Coast Guard and approved equipment that met all applicable international standards and requirements.⁹ The instant Requests seek certification of Class B AIS equipment prior to the enactment of final rules in WT Docket No. 04-344 to provide for the certification of Class B AIS equipment. We therefore solicit comment on whether the Part 80 rules should be waived to permit the approval of Class B AIS equipment prior to the resolution of the rulemaking proceeding. We seek comment regarding how to proceed with respect to the instant Requests, and any other requests for Class B certification received prior to the resolution of WT Docket No. 04-344. Commenters advocating the approval of Class B AIS devices while the rulemaking proceeding remains pending should specify in their comments any technical standards and requirements that the devices should be required to meet, and any conditions that should be imposed on the approvals.

Procedural Matters

Comments on the Requests are due **no later than July 5, 2007**. Reply Comments are due **no later than July 16, 2007**. All filings should reference the docket number of this proceeding, WT 04-344.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹⁰ Parties making oral *ex parte* presentations in this proceeding are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.¹¹ More than a one- or two-sentence description of the views and arguments presented is generally required.¹²

The Requests are available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street, S.W., Washington, D.C. 20554. Copies of the Requests also

⁶ IEC 62287-1, "Maritime navigation and radio communication equipment and systems -- Class B shipborne equipment of the automatic identification system -- Part 1: Carrier-sense time division multiple access (CSTDMA) techniques," 2006 (IEC 62287-1), available from <http://www.iec.ch>.

⁷ *AIS FNPRM*, 21 FCC Rcd at 8937 ¶¶ 63-64.

⁸ Amendment of the Commission's Rules Concerning Maritime Communications, *Fourth Further Notice of Proposed Rule Making*, PR Docket No. 92-257, 17 FCC Rcd 227 (2001).

⁹ See Applications for Equipment Authorization of Universal Shipborne Automatic Identification Systems to be Coordinated with U.S. Coast Guard to Ensure Homeland Security, *Public Notice*, 17 FCC Rcd 11983 (OET 2002).

¹⁰ See 47 C.F.R. §§ 1.1200(a), 1.1206.

¹¹ See Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings, *Public Notice*, 15 FCC Rcd 19945 (2000).

¹² See 47 C.F.R. § 1.1206(b)(2). Other rules pertaining to oral and written presentations are also set forth in Section 1.1206(b). See 47 C.F.R. § 1.1206(b).

may be obtained via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT 04-344. Copies of the Requests are also available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties shall send one copy of their comments and reply comments to Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, D.C. 20554, (800) 378-3160, e-mail FCC@BCPIWEB.com.

Comments filed in response to this *Public Notice* will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the Docket Number, WT 04-344. The comments may also be purchased from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail FCC@BCPIWEB.com.

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or send an e-mail to access@fcc.gov.

For further information, contact Tim Maguire of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-1327, tim.maguire@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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